

REMARKS

Claims 15, 17-22, 24-28 and 92-121 are currently pending. Claims 16, 23 and 29-91 are canceled without prejudice or disclaimer. Applicants reserve the right to pursue the subject matter of any or all of the pending claims in one or more continuing applications.

Claims 18, 19, 21, 22, 93, 94, 103, 104, 106, 107, 114 and 115 are amended to address informalities. In particular, Applicants have (1) amended claims 18, 19, 103 and 104 to include the full name corresponding to the abbreviation THAP; and (2) amended claims 21, 22, 93, 94, 106, 107, 114 and 115 to include the full name corresponding to the abbreviation SLC. No new matter has been added to the instant application.

Claim Objections

The Examiner objects to the abbreviation THAP in claims 18, 19, 103 and 104. In response, Applicants have amended claims 18, 19, 103 and 104 to include the full name corresponding to the abbreviation THAP.

In addition to the foregoing objection, the Examiner objects to the abbreviation SLC in claims 21, 22, 93, 94, 106, 107, 114 and 115. In response, Applicants have amended claims 21, 22, 93, 94, 106, 107, 114 and 115 to include the full name corresponding to the abbreviation SLC.

In view of the foregoing claim amendments, Applicants respectfully request that the Examiner withdraw the above-referenced claim objections.

Rejection of claims 15, 17-22, 24-28 and 92-121 under 35 U.S.C. § 112, first paragraph (written description)

The Examiner rejects claims 15, 17-22, 24-28 and 92-121 under 35 U.S.C. § 112, first paragraph as allegedly lacking support by the specification as originally filed. In particular, the Examiner asserts that the specification does not adequately describe methods of binding or methods of inhibiting the activity of the genus of chemokines set forth in the independent claims.

As agreed during the interview of May 5, 2008, the specification adequately describes both methods of binding and methods of inhibiting the activity of the genus of chemokines set forth in the currently pending independent claims. As discussed in the interview, the

specification describes both methods of binding and methods of inhibiting the activity of a representative number of chemokines using the polypeptides recited in these claims. In particular, the specification at least at pages 114, 115, 179-182; Examples 15, 16 and 32-37; and Figures 12, 16, 19 and 20, provides adequate support for the claimed methods of binding and methods of inhibiting the activity of the genus of chemokines set forth in the independent claims. Additionally, to the extent relevant, Applicants reiterate the remarks made in the response submitted in connection with the Request for Continued Examination filed October 30, 2007.

In view of the foregoing remarks, Applicants respectfully request that the Examiner withdraw the rejection of claims 15, 17-22, 24-28 and 92-121 under 35 U.S.C. § 112.

Rejection of claims 15, 17-22, 24-28 and 92-121 under 35 U.S.C. § 112, first paragraph (enablement)

The Examiner rejects claims 15, 17-22, 24-28 and 92-121 under 35 U.S.C. § 112, first paragraph as allegedly lacking enablement by the specification as originally filed. In particular, the Examiner asserts that the specification does not adequately provide sufficient guidance for a skilled artisan to perform the methods set forth in the independent claims without undue experimentation.

As agreed during the interview of May 5, 2008, the specification adequately enables both methods of binding and methods of inhibiting the activity of the genus of chemokines set forth in the currently pending independent claims. As discussed in the interview, the specification enables methods of binding and methods of inhibiting the activity of numerous chemokines by using the polypeptides recited in these claims. In particular, the specification at least at pages 114, 115, 179-182; Examples 15, 16 and 32-37; and Figures 12, 16, 19 and 20, provides both working examples and specific guidance that is sufficient to permit a skilled artisan to perform the methods set forth in the independent claims. Additionally, the Declaration of Dr. Jean-Philippe Girard, which was filed October 30, 2007, provides further evidence that the currently pending claims are enabled. Finally, to the extent relevant, Applicants reiterate the remarks made in the response submitted in connection with the Request for Continued Examination filed October 30, 2007.

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In view of the foregoing remarks, Applicants respectfully request that the Examiner withdraw the rejection of claims 15, 17-22, 24-28 and 92-121 under 35 U.S.C. § 112.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION


Applicants believe that all outstanding issues in this case have been resolved and that the present claims are in condition for allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is invited to contact the undersigned at the telephone number provided below in order to expedite the resolution of such issues.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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